



1721

PATENT
1049-1-054/CON

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT : Bernhard Fleckenstein et al.
SERIAL NO. : 10/828,343 EXAMINER : Sumesh Kaushal
FILED : April 21, 2004 ART UNIT : 1633
FOR : VIRAL INTERLEUKIN-6

Certificate of Mailing Under 37 CFR 1.8

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on June 28, 2006.

Pamela DeMarco
(Name of Depositor)

Pamela DeMarco 6/28/06
(Signature and Date)

RESPONSE TO NOTICE AND
TRANSMITTAL OF FORMAL DRAWINGS

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Subject to the approval of the Examiner in charge of this Application, please enter the attached four (4) sheets of formal drawings (Figures 1-2C) in place of the informal drawings submitted with the Application as originally filed. These Drawings are submitted in response to the Notice Regarding Drawings dated May 9, 2006 and due for response on or before July 9, 2006 (copy attached). Applicants submit that the instant Application and Drawings are now fully acceptable under 37CFR 1.84 and 1.152.



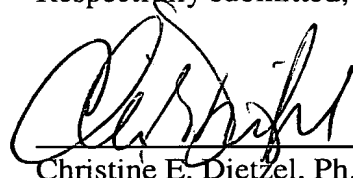
06-30-2006

U.S. Patent & TMOfc/TM Mail Rcpt Dt. #30

No fees are believed to be necessitated by the foregoing. However, should this be erroneous, authorization is hereby given to charge Deposit Account No. 11-1153 for any underpayment, or credit any overages.

Favorable action on this request is accordingly solicited.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Christine E. Dietzel", is written over a horizontal line.

Christine E. Dietzel, Ph.D.
Agent for Applicant(s)
Registration No. 37,309

KLAUBER & JACKSON, LLC
411 Hackensack Avenue
Hackensack, NJ 07601
(201) 487-5800

Date: June 28, 2006



UNITED STATES PATENT AND TRADEMARK OFFICE

UNDER SECRETARY OF COMMERCE FOR INTELLECTUAL PROPERTY AND
DIRECTOR OF THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NUMBER 10/828343	FILING/RECEIPT DATE 04/21/2004	FIRST NAMES APPLICANT <u>FLECKENSTEIN,</u> <u>BERNHARD</u>	ATTORNEY DOCKET NUMBER
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KLAUBER & JACKSON
411 HACKENSACK AVENUE
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MAY 11 2006
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Examiner

KAUSHAL, SUMESH

Art Unit
1633

Paper Number

Date Mailed: 05-09-06

DDO 7/9/06

Notice Regarding Drawings

Corrected drawings for the above-identified application, received in the USPTO on 04/21/2004 are still not acceptable for the reason(s) identified on the attached PTO-948. Applicant is given one opportunity to correct the informalities within a two-month time period from the mailing date of this Notice. **THIS TIME PERIOD IS NOT EXTENDABLE UNDER EITHER 37 CFR 1.136(a) OR 1.136(b).** Failure to take corrective action within the set period will result in abandonment of the application.

ATTACHMENT: PTO-948 Notice of Draftsperson's Patent Review
Nhan Tang -703-305-0333 - Ext. 132

RETURN CORRECTED DRAWINGS TO:

Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

DOCKETED OF



NOTICE OF DRAFTSPERSON'S PATENT DRAWING REVIEW

The drawing(s) filed (insert date) 04/21/04 are:

- A. ☐ approved by the Draftsperson under 37 CFR 1.84 or 1.152.
B. ☒ objected to by the Draftsperson under 37 CFR 1.84 or 1.152 for the reasons indicated below. Corrected drawings are required.

1. DRAWINGS. 37 CFR 1.84(a): Acceptable categories of drawings: Black ink or Color (3 sets required).

☐ Color drawings are not acceptable until petition is granted. Fig(s) _____
☐ Pencil and non black ink not permitted. Fig(s) _____

2. PHOTOGRAPHS. 37 CFR 1.84(b)
☐ One (1) full-tone set is required. Fig(s) _____
☐ Photographs may not be mounted. 37 CFR 1.84(e)
☐ Photographs must meet paper size requirements of 37 CFR 1.84(f). Fig(s) _____
☐ Poor quality (half-tone). Fig(s) _____

3. TYPE OF PAPER. 37 CFR 1.84(e)
☐ Paper not flexible, strong, white, and durable. Fig(s) _____
☐ Erasures, alterations, overwritings, interlineations, folds, copy machine marks not accepted. Fig(s) _____

4. SIZE OF PAPER. 37 CFR 1.84(f): Acceptable sizes:

21.0 cm by 29.7 cm (DIN size A4) or
21.6 cm by 27.9 cm (8 1/2 x 11 inches)
☐ All drawing sheets not the same size.
Sheet(s) _____

☐ Drawings sheets not an acceptable size. Fig(s) _____

5. MARGINS. 37 CFR 1.84(g): Acceptable margins:
Top 2.5 cm Left 2.5 cm Right 1.5 cm Bottom 1.0 cm

☐ Margins not acceptable. Fig(s) _____
☐ Top (T) _____ Left (L) _____
☐ Right (R) _____ Bottom (B) _____

6. VIEWS. 37 CFR 1.84(h)
REMINDER: Specification may require revision to correspond to drawing changes, e.g., if Fig. 1 is changed to Fig. 1A, Fig 1B and Fig. 1C, etc., the specification, at the Brief Description of the Drawings, must likewise be changed.

☒ Views not labeled separately or properly. *with Fig. labels*
Fig(s) 2

7. SECTIONAL VIEWS. 37 CFR 1.84(h)(3)
☐ Sectional designation should be noted with Arabic or Roman numbers. Fig(s) _____

8. ARRANGEMENT OF VIEWS. 37 CFR 1.84(i)
☐ Words do not appear on a horizontal, left-to-right fashion when page is either upright or turned so that the top becomes the right side, except for graphs. Fig(s) _____

9. SCALE. 37 CFR 1.84(k)
☐ Scale not large enough to show mechanism without crowding when drawing is reduced in size to two-thirds in reproduction. Fig(s) _____

10. CHARACTER OF LINES, NUMBERS, & LETTERS. 37 CFR 1.84(l)

☒ Lines, numbers & letters not uniformly thick and well defined, clean, durable, and black (poor line quality). Fig(s) 1-2

11. SHADING. 37 CFR 1.84(m)

☐ Solid black areas pale. Fig(s) _____
☐ Solid black shading not permitted. Fig(s) _____

12. NUMBERS, LETTERS, & REFERENCE CHARACTERS. 37 CFR 1.84(p)

☒ Numbers and reference characters not plain and legible. Fig(s) 1-2

☐ Figure legends are poor. Fig(s) _____
☐ Numbers and reference characters not oriented in the same direction as the view. 37 CFR 1.84(p)(1) Fig(s) _____

☐ English alphabet not used. 37 CFR 1.84(p)(2) Fig(s) _____

☒ Numbers, letters and reference characters must be at least 32 cm (1/8 inch) in height. 37 CFR 1.84(p)(3). Fig(s) 1-2

13. LEAD LINES. 37 CFR 1.84(q)

☐ Lead lines missing. Fig(s) _____
14. NUMBERING OF SHEETS OF DRAWINGS. 37 CFR 1.84(t)

☐ Sheets not numbered consecutively, and in Arabic numbers beginning with number 1. Sheet(s) _____

15. NUMBERING OF VIEWS. 37 CFR 1.84(u)

☒ Views not numbered consecutively, and in Arabic numerals, beginning with number 1. Fig(s) 1-2

16. DESIGN DRAWINGS. 37 CFR 1.152

☐ Surface shading shown not appropriate. Fig(s) _____
☐ Solid black surface shading is not permitted except when used to represent the color black as well as color contrast. Fig(s) _____

COMMENTS:

Reviewer Tang

Date 05/09/06

If you have questions, call (703) 305-8404. 0333 x132

Attachment to Paper No. _____